

JFV

CERTIFICATE OF MAILING BY FIRST CLASS MAIL



I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

Terri S. Fox
(signature)

Date of signature and deposit - May 25, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: BERRY, JR.) Group Art Unit:
Serial No. 10/790,471)
Filed: March 1, 2002) Examiner:
) Attorney Docket 16611

For: SEPARATED SANITARY AND STORM SEWER SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Honorable Sir:

Pursuant to Sections 1.97 and 1.98 of Title 37 of the Code of Federal Regulations, record is hereby made of published prior art which the United States Patent and Trademark Office may wish to consider during examination of the above-entitled application. No representation is made or intended that a prior art search was conducted, or that no better art than that listed is available.

U.S. Patent Documents - No., Date, Name

| | | |
|-----------|---------------|-----------------|
| 3,366,339 | Jan. 30, 1968 | Fair |
| 3,756,266 | Sept. 4, 1973 | Artz |
| 4,373,838 | Feb. 15, 1983 | Foreman et al. |
| 5,083,885 | Jan. 28, 1992 | Ushitora et al. |
| 5,161,911 | Nov. 10, 1992 | Regan |
| 5,480,260 | Jan. 2, 1996 | Shattuck et al. |
| 5,575,304 | Nov. 19, 1996 | Hassett |
| 5,890,837 | Apr. 6, 1999 | Wells |
| 6,001,212 | Dec. 14, 1999 | Polivka et al. |
| 6,318,395 | Nov. 20, 2001 | Anderson et al. |
| 6,406,216 | Jun. 18, 2002 | Raasch |

Foreign Patent Documents - No., Date, Country

None

Publications - Author, Title, Date, Pages, Place

McPherson, M.B, "ASCE Combined Sewer Separation Project Progress", October 16, 1967,
ASCE National Meeting on Water Resources Engineering, pp 1-21, New York, New York
ASCE Project Staff, Greely and Hansen, Consultants, "American Society of Civil Engineers
Combined Sewer Separation Project, Milwaukee Study Area", December 1968, pp i, 1-53,
Appendix A, Appendix B

Farrell, R. Paul and Darrah, G. Grey, "Pressure Sewers – A Proven Alternative Solution for a
Variety of Small Community Sewage Disposal Challenges", December 11, 1994, American
Society of Agricultural Engineers, Atlanta, Georgia

Anderson, Greg, "New Fiber-Optic Installation Method for Sewers Unveiled in Toronto",
October 2003, Trenchless Technology, pp. 40-41

The above-mentioned references relate generally to an apparatus and a method for
separating sanitary effluent from storm water and/or infiltrated water in a municipal sewer
system.

A copy each of the publications is enclosed herewith along with Form PTO-1449. It is
requested that it be fully considered and made of record in this case.

Respectfully submitted,


William J. Clemens, Reg. No. 26,855
(734) 542-9577

MacMILLAN, SOBANSKI & TODD, LLC
One Maritime Plaza, Fourth Floor
720 Water Street
Toledo, OH 43604-1853
c:\cf\2151\16611.bbf



| U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | | | ATTY. DOCKET NO. 16611 | SERIAL NO. 10/790,471 | | |
|---|--|------------|-----------------|----------------------------------|------------------------------|----------------------------|----|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT | | | | APPLICANT BERRY, JR. | | | |
| | | | | FILING DATE MARCH 1, 2002 | | GROUP | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | |
| | 3,366,339 | 01/30/1968 | Fair | | | | |
| | 3,756,266 | 09/04/1973 | Artz | | | | |
| | 4,373,838 | 02/15/1983 | Foreman et al. | | | | |
| | 5,083,885 | 01/28/1992 | Ushitora et al. | | | | |
| | 5,161,911 | 11/10/1992 | Regan | | | | |
| | 5,480,260 | 01/02/1996 | Shattuck et al. | | | | |
| | 5,575,304 | 11/19/1996 | Hassett | | | | |
| | 5,890,837 | 04/06/1999 | Wells | | | | |
| | 6,001,212 | 12/14/1999 | Polivka et al. | | | | |
| | 6,318,395 | 11/20/2001 | Anderson et al. | | | | |
| | 6,406,216 | 06/18/2002 | Raasch | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES | NO |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | |
| | McPherson, M.B., "ASCE Combined Sewer Separation Project Progress", Oct. 16, 1967, ASCE National Meeting on Water Resources Engineering, pp 1-21, New York NY | | | | | | |
| | ASCE Project Staff, Greely and Hansen, Consultants, "American Society of Civil Engineers Combined Sewer Separation Project, Milwaukee Study Area", December 1968, pp i, 1-53, Appendix A, Appendix B | | | | | | |
| | Farrell, R. Paul and Darrah, G. Grey, "Pressure Sewers - A Proven Alternative Solution for a Variety of Small Community Sewage Disposal Challenges", December 11, 1994, American Society of Agricultural Engineers, Atlanta, Georgia | | | | | | |
| | Anderson, Greg, "New Fiber-Optic Installation Method for Sewers Unveiled in Toronto", October 2003, Trenchless Technology, pp. 40-41 | | | | | | |
| | DATE CONSIDERED | | | | | | |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | |